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ABSTRACT

The Association of Faculty Women's proposals for an affirmative action program were developed by women who have expertise in the areas that are discussed. These areas include: establishment of an office for women; hiring and promotion goals; employment; professional, scientific and specialist academic staff; fringe benefits; university governance; and grievance procedures. Also discussed are education and career development; counseling programs and services; women's studies programs; library services; and physical education and recreation facilities. (CS)

ED 067982

A proposal from the Steering Committee of the Association of Faculty Women
to the Administration of the University of Wisconsin
(Madison and Extension)
for the development of
AN AFFIRMATIVE ACTION PROGRAM
to redress past inequities and to establish
a policy of equal treatment and equal opportunity
at the University of Wisconsin
for all women

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STEERING COMMITTEE OF THE ASSOCIATION OF FACULTY WOMEN

Sheila Klatsky, Cochairwoman, AFW

Elizabeth C. Monts, Cochairwoman, AFW

Nancy Abraham, Cochairwoman, Ad Hoc Committee on Affirmative Action Program

G. Kass-Simon, Cochairwoman, Ad Hoc Committee on Affirmative Action Program

Marjorie Klein, Ad Hoc Committee on Affirmative Action Program

Miriam Allman

Marion Namenwirth

Kathryn Beach

Joy Rice

Diane Bless

Joan Roberts

Ruth Bleier

Ruth Schwebke

Rena Gelman

Harriet Shetler

Laurie Herm

Ann Seidman

Judith Ladinsky

Denise Tabet

Karen Merritt

Janice Wheaton

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INTRODUCTION

It is imperative that the Affirmative Action Program that is being developed by the University of Wisconsin Administration should reflect the concerns and needs of women in residence and extension departments on the Madison campus. As a representative group of these women, the Steering Committee of the Association of Faculty Women submits the attached recommendations. These recommendations have been carefully drawn up by the people who will be most affected by the policies established by the University, namely, the women themselves.

Each chapter of the document involved the thinking of those women having a special expertise in that particular area, and it is with this in mind that the Steering Committee strongly urges the Administration to give careful consideration to our proposals.

We strongly endorse all of the requirements listed in Revised Order No. 4 (Title 41, Chapter 60, Part 60-2) contained herein as Appendix I, and all of our recommendations are supported by it. In many parts of this document, we cite specific references to that order.¹

Because of the limitations of time and the complexity of the task, we do not view our document as a final, comprehensive statement of either the problem or its solution.² Therefore, we anticipate the opportunity for further refinement of the recommendations. We are receptive to discussion and continuing interaction with the University Administration to achieve the common goal of strict adherence to an employment policy that will "further the principle of equal employment opportunity"³ and will ensure that the University of Wisconsin "recruit, hire, train, and promote persons in all job classifications, without regard to race, color, religion, sex"4

1/ Citations are enclosed in parentheses following our recommendations.

2/ A proposal for women's professions will be submitted at a later date.

3/ Revised Order No. 4 (60-2.20, a.2)

4/ Revised Order No. 4 (60-2.20, a.1)

OFFICE FOR WOMEN

Problem: The unequal status of women in every category in the University is a well-documented and acknowledged fact. Efforts by the Administration have thus far, however, been inadequate and uncoordinated. The success of any serious program to ensure the right and freedom of women to participate fully in the life and work of the University depends upon the existence of a strong and adequately staffed Office for Women.

Goal: The establishment of an Office for Women charged with the authority and responsibilities of planning, implementing, and enforcing all aspects of programs for women is an absolute necessity. The Office will be concerned with women in all categories at the University: faculty, nonfaculty academic, classified, and student.

Implementation: The director of this office will have the rank of vice chancellor or assistant chancellor and is to be selected from a list of recommendations of a search and screen committee appointed by the Chancellor. This committee will be chosen from names of women submitted by the existing women's groups on campus. The office is to have adequate staff and budget to carry out its programs.

We recognize that this is an era of restriction in the rate of budget increases. The real problem is, however, not a lack of money but what the priorities will be in the use of that money. Recent administrative reorganizations as well as salary changes clearly signify flexibility in budgetary assignments. In addition, discretionary funds have always been available to campuses as well as to schools for desired uses. The magnitude and immediacy of the problem requires a high order of priority for the funding of an Office for Women.

The local office will work closely with the Office for Women established in central administration for the merged system. The director of the central

Office for Women

office will have the rank of assistant vice president.

The Office for Women will include the following responsibilities:

(60-2.22)

1. Continuing identification of the problems.
2. Developing policy statements and affirmative action programs.
3. Communicating information concerning such policies and programs to the entire University community as well as to other institutions and individuals having any relationship to the University.
4. Assisting unit directors or chairmen to achieve the goals of their programs for women.
5. Designing and directing annual data collection concerning the status of women in all categories and including information about recruiting, hiring, promotions, salary admissions, financial assistance, etc. An annual report will summarize progress made over the year toward achieving goals set for hiring and promotion of women. (See Appendix II.)
6. Designing, initiating, and reviewing the annual report by each department of its hiring, promotion, and salary increases with respect to women. (See Chapter 3, "Hiring Goals.")
7. Initiating and monitoring the annual review of the qualifications of faculty, academic, and classified women to ensure that appropriate promotions and salary increases have been made. (See Chapters 3 and 4, "Hiring Goals" and "Employment.")
8. Initiating training programs for women in classified service and administration to ensure their mobility into higher levels.
9. Investigating and attempting settlement of complaints of discriminatory treatment brought to it by any woman at the University. A staff member of this office will further assist the complainant in grievance appeal procedures to be taken beyond the Office for Women. (See Chapter 8, "Grievance Procedures.")

Office for Women

10. Counseling for women. A staff member of the Office for Women is to be responsible for the coordination of already existent counseling and placement services on campus to ensure their effectiveness in dealing with women's needs.
11. Fostering career development and continuing education. The Office for Women will assist in the development and implementation of programs (credit and noncredit) and services now unavailable, such as those for the mature woman returning for career training or retraining. (See Chapter 10, "Counseling Programs and Services.")
12. Facilitating the development of a women's studies program. This Office will provide a current listing of all courses dealing with women, encourage the establishment of new courses, and obtain funds for research projects and women's studies programs. (See Chapter 11, "Women's Studies Programs.")
13. Cooperating with women's groups on campus. This Office is to be responsive to the needs of women's groups as well as to those of individual women.
14. Involving the Office for Women through representation on every group or committee that sets policy or makes decisions that affect women. Such matters include fiscal policy, facilities planning, financial aids, admissions policies, all search and screen committee selection, and appointment of other key faculty and administrative committee personnel.
15. Working with a policy-making board (Commission on Women, Committee on the Status of Women) whose members will be selected by the existing women's groups on campus.
16. Taking all other steps necessary to ensure the full acceptance and participation of women in the life of the University.

HIRING AND PROMOTIONAL GOALS

Introduction: We feel that Chancellor Young's memorandum of January 24, 1972, to department chairmen should be implemented on all campuses of the merged University system. However, we have addressed ourselves in the following pages to procedures for strengthening this document so that it can better achieve its stated aims: "to redress any imbalance in the representation of qualified women" in the University.¹ (60-2.11; 60-2.12; 60-2.20, a.3; 60-2.23)

Setting Goals:

1. Establish a percentage obligation for hiring women at the whole-department level that reflects both the department's current position and the availability of women in the pool of qualified applicants. The obligation should be set in such a manner that the percentage distribution of the departments will match the pool within a five-year deadline.
2. Ensure that hiring actually conforms to that obligation over time.
3. Ensure that men and women are promoted with equal speed. In particular a department should not promote a man from a rank unless the department's past history of promotions from that rank clearly demonstrates that women do not remain longer than men in that rank.

Hiring and Promotional Goals for Tenured Positions: It is necessary to establish numerical goals for hiring tenured women. The implicit assumption is that the problem of the relative absence of women in tenured positions can eventually be eliminated by the hiring of female assistant professors and their eventual trickling upward into the tenure ranks. This assumes that women who are hired in

¹/ Appendix II presents forms and procedures of the type to be used in the implementation of such a strengthened policy. Conceivable, however, with extensive modification as indicated in Appendix II, the current procedures can be amended to provide adequate implementation for this policy.

Hiring and Promotional Goals

nontenure positions will be promoted at the same rate as men. In this case it is particularly important that departments hire women whom they legitimately expect to promote and that these women be treated as productive scholars rather than as "teachers" whose initial contracts will not be renewed once they expire. We further suggest that when tenure positions become open, all appropriately trained women presently working as lecturers, teaching specialists, and research associates and others in nonteaching academic ranks be considered as potential applicants for the tenure positions.

Departments may be overlooking sources of qualified, productive female scholars such as college teachers, university research associates, and professionals in government and industry.

Available Pool: Available pool figures for women currently able to fill tenured positions should be developed on the basis of (1) the numbers and percentages of women who received doctorates in the field 5, 10, 15, and 20 years ago which should be calculated and conclusions drawn about the trends represented by these figures and (2) the membership in the major professional organizations which should be analyzed in order to determine percentage and location of female members. These figures must then be compared to the actual proportions of women in these categories in the University. There is no reason to wait until the women presently being hired can be promoted to tenure. The University should be able to compete for women currently available for tenure positions. When tenure-rank positions become open, departments are to consider the pool of available women and wherever possible, hire the qualified women in preference to men with comparable qualifications in order to bring the department percentage into line with the percentage of women available.

Enforcing Goals:

1. Departmental hiring goals and the hiring reports (described in Appendix II)

Hiring and Promotional Goals

are to be submitted twice a year to the Office of the Chancellor, the Office for Women, to the relevant dean, and to the Committee on the Status of Women. These actions are to be initiated by the Office for Women. Each of these offices and groups will review these documents in order to assess departmental compliance with Affirmative Action requirements. If any of these groups questions the stated departmental hiring goals or the way in which departments are meeting these goals, these reports should be submitted to a committee made up of a representative from the Chancellor's Office, the Office for Women, the dean of the school or college involved, and three members of the Committee on the Status of Women for the purpose of determining what action should be taken.

2. Information on departmental hiring goals and hiring reports should be made available to any interested department member.
3. Accounting procedures and formulas for developing goals and establishing compliance are included in Appendix II for distribution by the Office for Women to each department. These methods (requiring very minimal departmental book-keeping) are intended to enforce the objectives listed in the section "Setting Goals."
4. If a department is found to be noncompliant, funds shall be withheld from the department until compliance has been established.

EMPLOYMENT

I. Problem: The failure to hire or promote women to tenured positions is a result of the assumption (often unconscious) that women constitute a problem, are not really as competent as men, or are more difficult to work with. This attitude may be reinforced by the uncritically accepted but incorrect assumption that women will inevitably leave their employment to fulfill family obligations, or that their leaving for such reasons is somehow less acceptable than a man's leaving his position for another one or for temporary service outside his profession. Very often the "old boys club" system of calling a colleague or two to ask for names of suitable candidates has prevailed, so that many qualified persons are not considered since they are never given an opportunity to apply for a position. Such practices lead to hiring and promotion decisions that are not in accord with equal hiring opportunities because of invalid requirements.

(60-2.20,a,3,4; 60-2.24b; 60-2.24 11f,5)

Implementation: Establish at the University a clearing house that will list current available academic and classified positions, including specialist, at all UW campuses. Publish these listings in appropriate journals as well as in a monthly bulletin to be sent to all academic and classified personnel of the University. All job listings shall indicate that the University is an equal opportunity employer. These job announcements are to be maintained until the position is filled. All listings are to specify those criteria on which an applicant will be judged, giving a description of the position where possible, salary range, and minimum qualifications expected. A date for the submission of applications should be given and no hiring done until after that date, and not until there has been bona fide consideration of all applications received. Special exceptions to the above shall be approved by an appropriate committee of personnel of the clearing house. This committee shall have members from the Office for Women.

(60-2.13 b, c; 60-2.21; 60-2.24 d)

Employment

II. Problem: Recruiting is limited to prestigious colleges without searching elsewhere for qualified candidates. Prestigious colleges (e.g., Harvard, Yale, University of Michigan) have tended to be male-dominated and male-oriented; limiting recruitment to them automatically discriminates against women.

Implementation: Primary consideration will be given to individual qualifications, not to the prestige of the institution from which an applicant comes. Recruitment for University of Wisconsin academic appointments should be broadened to reach applicants from every institution of higher education. Departments must notify institutions that have the appropriate graduate programs. A list of the institutions notified must be submitted to the clearing house personnel committee. (See I above.) (60-2.24b)

III. Problem: There is preferential hiring of younger people with more recently acquired Ph.D.s at the assistant professor level. Qualified women whose careers have been delayed by family obligations or by previous discriminatory treatment find their employment opportunities foreclosed although they may in fact have kept up with developments in the field. The analogy to men's careers interrupted by military service, administrative, or extra-academic work is obvious.

Implementation: Age, like marital status, is irrelevant and illegal as a criterion for employment. A statement should be published in all job announcements that this information be withheld from curricula vitae. (60-2.24b)

IV. Problem: There has been a refusal to hire UW graduates and postdoctoral fellows (the anti-inbreeding convention) in many departments. Women who make their residence in Madison and who are not mobile for one reason or another but who have received their degree or postdoctorate education at the University of Wisconsin are disqualified from employment at their appropriate rank.

Employment

Implementation: The only criteria for employment should be the objective criteria set forth by each department. The qualifications of the individual are the only relevant data to be considered.

- V. Problem: Recruiting is carried out for underspecified positions, i.e., allowing the available applicants' qualifications to determine at least in part the job requirements. While this is useful in that it allows flexibility in academic qualifications, it is subject to abuse because it allows applicants to be rejected for not meeting hidden specifications that may actually only come into existence after a desire arises to reject a given candidate.

Implementation: Positions are to be specified to the extent that applicants' qualifications should not determine the specifications for positions. Hiring practices must be such that prejudice has no room to hide. Announcements of positions must fully specify the qualifications required and all acceptable alternatives.

(60-2.24, d3)

- VI. Problem: Professionally trained people are rehired under the payroll category known as "other professional, scientific, and specialist academic staff" (OPSS) on a short-term contractual basis at the same level, without being considered for promotion. Qualified persons may remain for years on the department fringe, unable to participate in planning, student advising, and in the case of research associates, teaching, while new tenure-track people are brought in above them. The high proportion of women in these categories speaks for itself.

Those supported by "soft money" (grants) are often shunted from position to position without either security or opportunity to progress independently in their field.

(60-2.22, 5)

Implementation: Require that all departments review the status of existing personnel whenever a position becomes available in the department, and that written

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justification be given whenever outside personnel are hired in preference to the promotion of existing qualified personnel within.

People hired for nontenure-track limited periods, whether on soft money or hard, should automatically be considered for promotion to tenure-track positions at the end of the contract period. They should be promoted if they meet the department's previously stated objective criteria and if they desire promotion. Anyone who so desires could retain a nontenure-track position, but the department will be obliged first to consider them for promotion and must show good cause for failure to promote. To ensure frequent review, contracts for these categories should not exceed two years. Individuals on soft monies should be informed of the institution's commitment to staff funded on soft monies.

This proposed hiring change, giving priority for promotion to OPSS personnel, may be reconciled to fluctuations in available soft funds with which persons in this category are frequently hired. A contingency fund should be established as several large universities have already done. A vested fund should be incorporated in each department budget, based on the percentage of soft money being utilized in that department. The contingency fund should be supported by the state. It would operate like an insurance fund, drawing interest and becoming available to finance tenured faculty salaries in the event that soft money for projects and programs is curtailed. If for two successive years the department can demonstrate good faith but inability to secure adequate funds, obligation becomes void. (See Chapter, "Specialists.") (60-2.24, 11, f, 1-6)

When you suspect the possibility of status inequities, review the title or rank for comparability with that assigned men with comparable qualifications, responsibility, and performance levels. Wherever necessary, assist the department to initiate procedures for promotion or change of status.¹

¹/ Communication, "Special Review of the Salary and Status of Women Employees," p.5, sent by Irving Shain, vice chancellor, to deans and directors, dated February 7, 1972.

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VII. Problem: Women's average salaries are not now commensurate with men's within the same rank or position even though the amount and quality of work done is the same or even greater.

Implementation: Salaries should be commensurate with work loads and should be subject to periodic review. Salaries should be comparable to those offered by other institutions with which the University of Wisconsin is competing for top quality professional personnel and should adequately pay for all services rendered, whether by a woman or a man. Therefore, funds should be provided in the annual operating budget to correct inequities in compensation. Monies designated for other purposes such as merit raises, should not, however, be depleted to eliminate salary discrimination, since this would tend to reduce the quality of education. Instead a special contingency fund should be allocated for "catch-up" purposes and should be a first priority matter in the designation of monies in upcoming budgets until all inequities are corrected.

Both departmental chairmen and deans should particularly review those women's salaries which are below the average for the rank. Deans and directors should require that the persons making salary recommendations provide documentation explaining in what ways the woman's performance is below average. Those same defects or omissions must also result in similarly below-average salaries for men. Shorter length of service is an explanation for a below average salary if and only if men at that rank with comparable performance and similar length of service also are receiving comparably below average salaries. Deans should obtain enough information to verify that the same standards are being applied to men and to women. This means that the dean's office must call for teaching, research, and service records for that rank in that department whenever a below average salary is recommended for a woman on the teaching faculty. This documentation may be requested following an analysis of the salaries for academic women in the 1972-73 budget.²

The attempt to satisfy equity requirements in salary or rank by reduction to

²/ Shain communication, February 7, 1972, pp. 2-3 .

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part-time employment is not acceptable.

(60-2.20a, 1, 3)

VIII. Problem: In some departments hiring and promoting of legal faculty has been to full-time posts only. Many qualified persons, men as well as women, can accept only part-time appointments at certain stages of their careers because of family obligations, health, community service, or other reasons. This may be particularly true of women with very young children. These persons are then excluded from tenure and associated rights and duties, including the possibility of advising students as well as participating in decision-making in the department.

Implementation: Establish a policy to enable the appointment of qualified individuals to part-time tenure and tenure-track positions on the same basis as full-time positions with proportionate salary, benefits, responsibilities, and a voice in University affairs.

IX. Problem: Women are underrepresented on search and screen committees.

Implementation: Require that all search and screen or personnel committees include women members, and in those fields where women represent a high proportion of the available pool, provide that the composition of the committee reflect this number. In some cases this may mean the inclusion of individuals from outside the department.

(60-2.24d)

X. Problem: Women are underrepresented on departmental executive committees.

Implementation: Departments having no tenured women are to appoint faculty women with tenure from other departments to represent their women staff, i.e., from related departments.

PROFESSIONAL, SCIENTIFIC, AND SPECIALIST ACADEMIC STAFF

Problem: This employee category is perhaps the only one in which the University of Wisconsin is already in compliance with goals insofar as women in numbers proportionate to availability are concerned. In the context of present hiring policies and employee relations, this very fact makes this category deserving of close scrutiny, since this appointment lacks both the status and many prerogatives of the faculty, and the protections of classified personnel.

Goal: The assurance of job security, regular review, opportunity for promotion, and better personnel relations is needed.

Implementation:

1. Promotion

A professional, scientific, or specialist academic staff employee (hereafter referred to as PSSAS) with training, experience, and responsibilities comparable to those in the professorial ranks is to be considered for promotion to those ranks regardless of whether she has received the doctorate; the final degree in many fields is the M.A. or M.F.A. There is already precedent for attaining professorial rank without the Ph.D. Reclassification of PSSAS shall be to an equivalent or higher level of rank or salary. It is unacceptable to reclassify in such a way as to jeopardize status.

(60-2.24 11f, 5, 6; 60-2.11, 1, v, vi; 60-2.22b, 5)

2. Possibility of Tenure

After seven years as PSSAS at the University, the employee shall be considered for tenure at rank. Chapter 10A.11, Laws and Regulations of the University of Wisconsin, "Tenure not granted solely because of years of service," applies.

(60-2.22 b.5)

3. Nonretention

Professional, Scientific, and Specialist Academic Staff

- a. In the first year of employment, PSSAS shall be given one month notice of nonretention.
- b. In the second and third years of employment, PSSAS shall be given six months notice of nonretention.
- c. After more than three years of employment, PSSAS shall be given 12 months notice of nonretention.
- d. Employment may be terminated at any time by mutual consent of the PSSAS and supervisor or principal investigator.
- e. PSSAS may be dismissed only for adequate cause. Chapter 10B, "Dismissal Procedures," Laws and Regulations of the University of Wisconsin, applies.

(60-2.20 a.4)

4. Part-time

Appoint qualified individuals to part-time tenure and tenure-track positions on the same basis as full-time positions with proportionate salary, benefits and responsibilities and participation in departmental and University governance.

(See Chapter on "Employment.")

(60-2.20 a.2, 3)

5. Salary

For the specialist positions within each level of responsibility, specialists' salaries are to be comparable in every respect with those of the highest ranking individual fulfilling the same position providing that qualifications or performance levels and experience are comparable. (Shain communication cited in Chapter, "Employment.")

(60-2.24 f.5)

6. Information to PSSAS

The following information shall be supplied to each PSSAS presently employed, and hereafter to each PSSAS at the time of employment:

- a. A copy of this document or any revision thereof currently in effect;

Professional, Scientific, and Specialist Academic Staff

- b. University policies, in writing, on the appointment;
- c. A written description of the duties, rights, and privileges of the position;
- d. A copy of the procedures for grievance available to persons in this position;
- e. Assurance that, unless otherwise specifically stipulated at the time of employment, the appointment is subject to the foregoing University policies on job retention, review, opportunity for promotion, and utilization of full potential.

(60-2.20 a.3, 4; 60-2.21; 60-2.23 b.5)

FRINGE BENEFITS

Problem: Fringe benefits are not now equitably distributed among men and women at the University of Wisconsin. Moreover, there are no formal provisions to ensure that women employees do not suffer discriminatory, unjust, or inequitable treatment as a result of personnel policies that fail to cover the unique biological province of women, that of childbearing, and the greater social responsibility common to both men and women, that of childrearing.

Goal: To ensure that all fringe benefits such as health insurance, leaves and absences, childcare, housing and retirement policies are instituted so that they neither discriminate against women nor result in the unjust or inequitable treatment of women.

(60-2.20, 4; 60-2.22, 7ii,iii; 60-2.24 g,h)

Implementation:

1. Maternity Leave

- a. According to the recent ruling of the Wisconsin State Department of Industry, Labor and Human Relations, a working woman who is pregnant shall be entitled to the same benefits as any other employee with a temporary disability.
- b. A woman who needs time off from her job to have a baby shall be entitled to receive accumulated sick pay, vacation, pension, and insurance benefits, just as any other worker who is temporarily indisposed.
- c. Further, maternity leave is to be defined as that period of time a woman is medically unable to perform her job because of childbearing or the complications of pregnancy. Arbitrary time limits when maternity leave shall begin and end will not be set.
- d. Reinstated rights, pension plans, vacations, seniority, insurance coverage, sick pay, and other benefits must be given to women on maternity leave.
- e. Maternity insurance coverage for female employees is to be provided by the

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University. Any time taken for maternity leave should not be included in the probationary period for tenure or promotion.

2. Retirement Benefits

Retirement benefits should be paid out at the same rate to men as to women and on the same basis. The Wisconsin system of teacher's retirement discriminates against women because women receive smaller monthly benefits than men despite the fact that they pay into the fund at the same rate. If the argument is to be used that because women live longer they should receive less, then insurance policies should take into account smoking, drinking, etc. because these are all variables that also appear to affect longevity. Isolating sex and treating women as a class and men as a class in retirement benefits is a discriminatory practice.

3. Housing

In all student housing, women must be given the same opportunity as men to rent family units. If male heads of households are permitted to rent such units, then women with families should be able to do the same, even if the husband is employed. Many of the wives of male graduate students are also employed and helping to put husbands through graduate school. The female head of household or the woman with a husband should be given the same opportunity. The important rule to observe in this instance is that married men and married women and single men and single women be treated the same. If any sort of means test is to be used to determine eligibility for such housing, it must be applied to men as well as to women students.

4. Health Insurance

Women must be able to secure health insurance for a family and a husband on the same basis as men who are employed. Single employees shall not be penalized because of marital status. Husbands of women who work should not be treated

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differently in securing such insurance from wives of husbands who work and are insured.

Health insurance policies shall include insurance for abortions and sterilization, both for men and women. Abortions for dependent daughters should also be included as well as maternity hospital and medical expenses.

5. Child-Care Facilities

- a. The University shall develop a community-wide referral system in cooperation with the Dane County Social Planning Agency and with the Community Coordinated Child Care organization. This service should advise parents concerning the availability of child care. Such a system would (1) maintain a listing of recommended day-care centers for children 2.9 to 6 years of age; (2) keep a directory of men and women who are available for care of infants and older children either in the child's home or in the caregiver's home during daytime or nighttime hours; (3) provide a listing of men and women who would be available on short notice (much like substitute teachers) to care for children who are sick and cannot be sent to school or to child-care centers. Such listings should include older men and women and student men and women.
- b. It should be stressed that care during the nontraditional working hours be provided. We deplore the discrimination against women that forces so many of them to work at odd hours and within inflexible systems. However, as long as these conditions prevail, quality care must exist for their children.
- c. The University shall attempt to ensure, in a number of ways, the quality of home-care arrangements. For example, only those providing care for fewer than four children in homes should be listed. Perhaps the best way to ensure quality is through a coordinated program of training in which students learn from caregivers who are, in turn, trained, in part, by University personnel. Such a training program would provide additional sources for training of students and at the same time, provide the skills of University

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personnel to the community.

- d. For the care of 3 to 6 year olds the University should develop training programs and backup services, while working to upgrade existing neighborhood day-care centers. University students have been, and are currently, receiving training in these neighborhood day-care centers, yet the University has never remunerated these centers for such training, so in effect the Madison neighborhood day-care centers have until now been subsidizing the training of the University students. If the University were to reimburse these centers for the benefits received in terms of training and research, such centers could afford to lower their fees and extend their hours, as well as improve their quality and expand where needed. Indeed, if the University fully utilizes existing neighborhood facilities for training purposes, this will help ensure that these day-care centers are maintained at a high level. Such cooperation will also help to integrate the University into the Madison community. In addition, the University should establish child-care facilities on campus for University employees who prefer this alternative to neighborhood child-care. In all of these centers, we emphasize the importance of parent involvement in policy-making decisions.
- e. For children 7 to 12 years old, we urge the University to work for the use of public school facilities before and after school, while the parents are working. Such after-hours, school-based child-care should be recreational, rather than an extension of regular school work, and should be staffed by qualified personnel.
- f. As an alternative to school-based care for school-aged children, we suggest the use of youth centers, with supervised movement of children from schools to such centers. We strongly urge, however, that the principle of using schools as community centers, as advocated by many educators, becomes a reality in this community through the incorporation of child-care procedures

Fringe Benefits

described above.

- g. We also urge that hot lunches be provided for all school children. With new technology, there is no longer any need for a school to have extensive kitchen facilities to provide a hot lunch. Provision of such meals would reduce the burden on working parents and guarantee adequate nutrition for their children.
- h. In order to coordinate the programs necessary for quality child-care in Dane County and to ensure innovation in designing new kinds of day-care to meet the changing needs of the University community, we urge the University to establish an interdisciplinary committee of experts in this field.

UNIVERSITY GOVERNANCE

Problem: Women have had virtually no participation in the administrative and governance structure of the University of Wisconsin.

Goal: Proportional representation in all levels of the administrative structure and proportional membership on all University committees.

Implementation:

1. The University Administration shall give hiring priority to women in selection of administrative personnel throughout the University system and at all levels. Hiring of all administrative personnel shall follow the same procedures recommended for hiring other faculty. (See Chapter "Employment.")
2. Appointed committees--University, college, department--shall have women representation commensurate with their numbers.
3. Those committees that have a direct impact on women shall have no less than equal representation of women with men.
4. Immediate action by Administration shall involve establishing an Office for Women.
(See Chapter "Office for Women.") (60-2.20, a. 1, 2; 60-2.13)

GRIEVANCE PROCEDURES

Problem: The grievance procedures that exist are either ill-defined, inadequate, or not easily accessible. It is clear that while very few cases have proceeded through grievance procedures that have been established for classified and academic staff or, more obscurely, for students, there is no dearth of grievances within every group. The reason for this discrepancy appears to be the real reluctance of most people to face alone, as is now necessary, the persons in authority who may have contributed directly or indirectly to the grievance situation. Furthermore, there is, in general, ignorance in the entire University community concerning individual rights and privileges, federal or state laws and orders prohibiting discrimination, and possible courses to pursue for redress of grievances.

Goals:

1. To establish easily accessible and ultimately binding grievance procedures for all members of the University community.
2. To inform all members of the University community of their rights and of laws prohibiting discrimination as well as the steps to be taken if these rights and laws are violated.

Implementation:

1. The University administration shall widely and continually publicize both internally and externally its policies and programs about equal opportunities and available grievance procedures through the news media, reports, meetings, posters, and other means. (60-2.21)
2. There shall be established a grievance procedure for all women at the University-- students, classified and academic staff. It will have three levels of appeal.
 - a. First advocacy level

Within each school or college or other appropriate unit, a woman colleague

Grievance Procedures

will be selected by women in each of the above categories to receive and discuss problems related to work or study within the University; i.e., a student will be selected by women students to be their advocate, a classified worker by women classified workers, etc. A complainant may, however, select any advocate of her choice. This person should be familiar with rules and regulations of the University, aid in the gathering of the necessary data, and if, in the judgment of complainant or advocate, there is a legitimate grievance, accompany the aggrieved person to the second level.

b. Second advocacy level: Office for Women

The Vice Chancellor of the Office for Women or one or more full-time staff members shall serve as advocate(s) for all women at the University. She will receive complaints of suspected discriminatory treatment and be authorized both to investigate and to attempt resolution through conference and conciliation. The Vice Chancellor is to be appointed by the Chancellor from a group of several women selected and approved by the women on the campus.

Should the Vice Chancellor of the Office for Women be unable to resolve a grievance, she would assist the complainant in her appeal to the next level. This may take the form of a compliance review board, of which the Director would be an ex officio member.

c. Third advocacy level: Compliance Review Board

There will be established a Compliance Review Board (CRB) which will carry the authority of the Chancellor's office. The Board will have equal numbers of representatives from the following groups: students, student employees, classified staff, nonfaculty academic staff, tenured faculty, and nontenured faculty. Its composition of women should reflect the percentage of women in the University community. At least two members of the Board should be

Grievance Procedures

from other minority groups. Members of the Board should be selected by their constituent groups.

It should be noted that the procedure outlined for the first and second levels is for cases of women specifically if they involve discrimination on the basis of sex. We can envision, however, that similar parallel channels at levels 1 and 2 may be established by and for other groups (specialists or other minorities) also leading, if necessary, to settlement by the CRB. Individuals may bring complaints directly to the CRB. There can thus be a uniform system providing flexibility of mode of access to the grievance procedure.

EDUCATION AND CAREER DEVELOPMENT

Introduction: The quality of the graduate program has long been one of the academic mainstays of the University. One important way to sustain and enhance this quality in the years ahead is to ensure that equity exists between men and women in graduate student appointments. There are two main problem areas to be considered.

Problems:

1. The underenrollment of women students, particularly women graduate students. As the following table¹ illustrates, 43% of the undergraduates are women, and yet only 27% of the graduate students are women. A breakdown of the graduate student statistics shows an even higher attrition rate between master's and doctoral level: 36% of all master's candidates are women, and yet only 19% of all doctoral level candidates are women.

Enrollment Summary

<u>Level</u>	<u>Men</u>	<u>Women</u>	<u>Total</u>	<u>% Women</u>
Undergraduate & Specials	13,554	10,294	23,848	43.17
Graduate (incl. Law and Medicine)	7,372	2,723	10,095	26.97

Breakdown of Graduate Enrollment

Master's	3,169	1,785	4,954	36.03
Ph.D. (not including Law and Medicine)	3,816	915	4,731	19.34

2. A recent study² of graduate student employment in the largest college, Letters and Science, revealed a clear bias in the category of research assistant. A pattern was evident that while women comprise 30% of the L & S graduate enrollment, they make up only 11% of the research assistant appointments. The pattern

^{1/} From Enrollment Report, prepared by the Office of the Registrar, Student Statistics, First Semester 1971-72, UW-Madison.

^{2/} See Appendix IV.

Education and Career Development

was consistent for almost all of the departments in the college. We recommend that each department study the category of research assistant and all other categories of student employment, to ensure that equity exists in employment of graduate students. (See Implementation below.)

Goals:

1. The immediate enrollment goal shall be to increase the percentage of women graduate students to the same percentage as women undergraduates. The long-range goal shall be to increase the number of women graduate and undergraduate students to their percentage of the population (50%).
2. To encourage more women to enter the doctoral program in all fields.
(60-2.11 li,vii)
3. To assure that financial aid, including all forms of student employment, is administered equitably among graduate students without regard to sex, race, age, or marital status.

Implementation:

1. Require each individual department of the University to publish its criteria for admission and dismissal of graduate students and keep records of how these criteria are applied for any entering class, beginning with fall semester 1972. These records shall be available to the Committee on the Status of Women upon written request and with the written consent of the student. (60-2.25)
2. Require each graduate department, including the professional schools, to document the number of women and the number of men who applied for admission and the number accepted and their qualifications (without names) to assure that nondiscriminatory criteria are in effect for admission of all graduate students.
(60-2.25)
3. Require each department, including the professional schools, to hold open meetings during November to discuss before all interested students the criteria

Education and Career Development

and procedures for admission for each particular department for both advanced degree programs. The meeting shall be publicized and open to graduate and undergraduate students from any discipline. (60-2.21 a.3,4)

4. Eliminate discrimination in admissions procedure, at either the undergraduate or graduate level, on any factor other than ability. (60-2.23 b.3)
5. Require each individual department of the University to publish its requirements for graduate admission.
6. Establish open hiring policy for all graduate departmental appointments. Each department shall be required to post in a central location all jobs administered either directly or indirectly through that department. Job classification (TA, PA, RA, and Student Help) and necessary qualifications shall be listed. In cases where the exact number of positions to be filled cannot be determined in advance, each department shall list the maximum and minimum number of positions expected to be available. Sex, age, race, and marital status shall not be used for discrimination of jobs or salary or job tenure. (60-2.20 a.1,2,4)
7. Provided there are valid reasons (see 13 and 14 below) that a student is forced interrupt her or his studies, financial support should be established upon return to her or his studies. (60-2.20 a.4)
8. Require each department to employ and financially assist the same proportion of women graduate students relative to the proportion of women graduate students enrolled and the proportion of students employed. That is, if 23% of the graduate students in a department are women, then 23% of the employees in graduate appointments should be women.
9. Require each department to prepare a list of all fellowships available through its department stating the necessary qualifications for each fellowship and the criteria upon which the recipients are chosen. This information shall be distributed throughout the department. (60-2.22)

Education and Career Development

Lists mentioned in 9 and 10 should also be sent to all UW Offices for Women for dissemination. (60-2.22)

10. Require the graduate school to prepare a list of available fellowships through its office stating criteria upon which recipients are chosen. Such lists shall be distributed to all departments and posted in a central location by the departments. (60-2.22)
11. Support eligibility of women to receive such dependent allowance in those departments where men receive an allotment or an allowance for dependents. (60-2.20, 3)
12. Permit graduate students to engage in part-time study at least for a part of their student career; that they be supported on a prorated basis if otherwise qualified; that department chairmen exercise leadership on administrative bodies at whatever level seems necessary for the authorization of part-time funding. That part-time or interrupted studies can be construed as a special employment program to aid women with families. (60-2.24, 9)
13. Provide maternity leaves. (See Chapter, "Fringe Benefits.") (60-2.24 g,h)
14. Permit students who for personal or other reasons cannot devote full time to their graduate work to be allowed to complete the degree without time constraints. (60-2.20 a.2,3,4)

COUNSELING PROGRAMS AND SERVICES

I. Problem: On-campus and extension counseling services may not meet the needs of women or special groups of women for the following reasons:

1. Not enough women counselors available.
2. Lack of training and supervision geared to women's problems.
3. Lack of resources to guide women into fields where women have been underutilized.
4. Lack of women role models for guidance (women professionals).
5. Failure to reach groups of women with special needs, e.g., women who wish to re-enter their professional careers.

Goals:

1. The Office for Women should have the authority to establish and design programs and special tracks of study that will meet the needs of women and broaden the resources currently offered. Special attention should be given to needs of women who have been professionally inactive and to continuing education for women.
2. This same office should be empowered to coordinate and evaluate counseling services and to assist and train placement personnel and student advisors to ensure the existence of counseling services for all special programs, and generally to ensure that needs of women students are met.
3. The presence of various counseling services, programs, and curricula relevant to women should be publicized. This should also include adding more women to the present roster of student advisors, and maintaining a directory of women (both counselors and role models in various fields) that would be available to assist women students and applicants. Information on counseling services should be provided in application kits.
4. All programs and departments currently offering counseling to women clients should attempt to recruit more women staff members according to the guidelines established for professional hiring. (See Chapter, "Hiring and Promotional Goals").

Counseling Programs and Services

Women clients should be able to see a woman counselor if requested.

(60-2.24 e.7)

5. Increased relevance of counseling services to women will inevitably result in an increased case load and require funds.
6. Special outreach programs for women should be developed within present service channels:
 - a. Career planning week could be held for students and applicants in the summer to offer wider vocational counseling, with sessions for interested women.
 - b. Freshman orientation should include a section on career planning, women's problems, and women's studies.
 - c. Summer workshops and institutes on career development or changing roles of women should be offered.
 - d. Programs should be developed for the returning woman student, graduate student, or professional (e.g., programs of study, research planning, lecture preparation, review of specific fields and career placement).
 - e. All counselors and advisors participating in such programs should take part in training meetings provided by the Office for Women.

(60-2.24e, f; 60-2.26)

7. The responsibility for counseling services should remain with the agencies now in existence, and the development of isolated academic programs into which women can be shunted should be discouraged.

II. Problem: Current training programs for counselors on the UW campuses need to develop curriculum and practicum relevant to women's needs.

Goals: Include women's studies and women's counseling in courses offered to counselors. Develop sensitivity groups, workshops, and supervised practicum focused on women's problems.

Counseling Programs and Services

III. Problem: Counselors already trained by the UW, as well as those working as counselors and advisors in the state school system, are in great need of additional training in women's issues. These people are often the most conservative and rigid, but at the same time they have a crucial influence on the development of interests, attitudes, and career patterns in young people.

Goals: The Office for Women described earlier should oversee existing programs and services.

1. Support efforts that include all the merged campuses and university facilities in reaching and retraining counselors and teachers in new fields (e.g., male high school math and science teachers).
2. Include women's studies in summer and extension courses offered to working counselors.
3. Develop special programs and preconvention institutes on women's programs.
4. Provide material to improve women's counseling; e.g., presentations of new vocational possibilities, information about changing roles of women, new courses or tracks of study open to women (via ETN, Dial Access, etc.).
5. Examine the curriculum of various schools of the University regarding potential of developing outreach programs.
6. Include women and women role models in University Extension programs that reach the state. The University must present itself as a place where women study, work, and are respected. (60-2.24e, f; 60-2.26)
7. Work with members of the School of Education to evaluate its curriculum with respect to (a) sex roles stereotypes encouraged and (b) development of more flexible view of role development.

WOMEN'S STUDIES PROGRAM

Problem: The University has failed to reach women. It has failed to provide alternative ways of looking at women and at the assumptions of our culture, and it has failed to provide information about women, their history, and their accomplishments.

Goal: To change this situation, the University of Wisconsin should institute and encourage to the fullest extent programs in women's studies on all campuses. Already, women on most of the campuses around the state have begun trying to set up women's studies courses in their own fields of interest, just as women around the country have, within the last year, originated new courses in every discipline from history and literature through the social sciences to microbiology.¹

Affirmative action in the form of women's studies directly complements President John Weaver's latest message on University merger. The President stated in Faculty Memo, 15 February, 1972, "It is my firm intent to call for top priority funding in 1973-75 biennium for the revitalization of the 'Wisconsin Idea.'" To do this, Weaver proposed a six-step program; one step is "to identify persons and groups the University so far has failed to teach but who need the University"

Women's studies must consist of fully accredited courses in the regular University curriculum, courses that are recognized as endeavors that are as scholarly as any of the others in which faculty and students engage. It is necessary, then, not only to encourage the development of women's studies where such studies are already beginning or flourishing, but to support the introduction of such studies

¹/ Florence Howe, professor of humanities at State University of New York/College at Old Westbury, stated that there were more than 500 women's studies courses offered in American colleges during the fall semester of 1971, ten times as many as in the fall of 1970. ("Sexual Stereotypes Start Early," Saturday Review, 10/16/71, p. 93.)

Women's Studies Programs

in unified programs.

Specifically the goal must include commitment to the following principles:²

1. That Women's Studies is a legitimate academic enterprise at every level of education: primary, secondary, higher, community, continuing; including home economics, counseling education, and professional schooling such as medicine and law.
2. That Women's Studies is integrally related to the status of all women on every academic campus and the position of all women in the larger community.
3. That since education has heretofore been predicated on male values and assumptions about women that are not true, we shall work within and without our own disciplines to correct the biases and omissions in all educational materials and practices, including the public media.
4. That new research and the reinterpretation of old research on and about women, sex roles, etc., is urgent and must get institutional support and funding.
5. That Women's Studies should be educationally innovative, exploring, experiential, consciousness-raising, and as effective as more traditional modes of teaching.
6. That continuing education programs should be expanded to meet the needs of women, especially those outside current financial aids structures.

Implementation:

1. Women's studies courses are to be offered in most departments. Broad areas of concern should include at least the following:

- a. Introductory courses

Interdisciplinary approaches to topic areas to be pursued in subsequent, more specialized courses; a critical introduction to the status of women in contemporary society.

^{2/} Statement of commitment adopted by the participants of the Midwest Conference on Women's Studies, Alverno College, Milwaukee, Wis., October 22-23, 1971.

Women's Studies Program

b. Literature and Culture

Investigation of images, roles, and stereotypes of women in literature, the media and the arts; of female artists and their work.

c. History-Anthropology-Political Science-Economics

Survey of social, cultural, economic, and intellectual history of women; women in comparative cultures, classes and ethnic groups; impact of various family models, kinship systems, and economic patterns on women's role.

d. Psychology-Sociology

Investigation of the biological criteria in theories of human development and behavior; contradictions between self-actualization and sex stereotypes; sexuality and self-concepts; the socialization process as it affects women.

e. Education

Analyses of the educational process (curriculum, texts, classroom methods and environments, admission process, etc.) as it socializes or excludes women; consideration of innovative learning methods and environments. (Similar analyses would be possible of other social institutions such as law or medicine.)

f. Philosophy

Investigation of the place of women in the systems of major philosophers; attention to the liberation of women in various philosophies of revolution; the ethics and phenomenology of sex and other hierarchical distinctions.

2. Interdisciplinary courses are to be developed and coordinated by faculty budgeted for that purpose.
3. A specific stated budget is to be set up for the operation of the program.
4. Time and money are to be specifically budgeted in departments for faculty to teach women's studies courses.
5. A special budget must be allocated for research, available to both faculty and students.

Women's Studies Program

6. Special library facilities and staff are to be set up with a specific stated budget.
7. There should be mobility from campus to campus without obstacles such as loss of credit or lack of women's studies courses offered so that an actual statewide program does exist.
8. Courses are to be offered through correspondence study, WHA Radio, WHA-TV, Educational Telephone Network (ETN), Statewide Engineering Educational Network (SEEN), including all statewide delivery systems to be utilized for day and evening study.
9. Needs must be met of those who, because of age, geography, financial, or family responsibilities cannot matriculate in a traditional four-year program. It must serve part-time students, evening students, off-campus students, students who need financial aid or child care, students working towards a degree, and those pursuing their continuing education.
10. Open admission must be available to those who do not bring with them the traditional prerequisites; in short--"persons and groups the University so far has failed to reach" (J. Weaver)

INFORMATION RESOURCES (LIBRARY SERVICES)

Problem: It is necessary that the information resources (both print and nonprint materials) be developed and fully expanded to give current and ongoing support to the programs instituted by the University and to deal with women's studies at the level and standard of excellence typical of the University of Wisconsin.

The rapid expansion of publications on women, women's rights, women's liberation, and the women's movement in the United States and elsewhere requires immediate scholarly bibliographic attention. The diversity of formats, variety of sources, ephemeral nature of some of the material as well as the difficulty of securing important retrospective items to support an academic program are some of the dimensions of the problem.

Informal collections of information resources on women are scattered throughout the campus; coordination or centralization of such resources must be developed. Adequate housing of all such resources for easy access and needed library service is essential.

It is also imperative that the availability, service and housing of these resources be strongly supported.

Goal: In order to ensure that adequate informational resources and related service are developed and sustained, a program must be implemented which will ensure the collecting, servicing, and housing of such materials as needed to support the Women's Studies programs and related campus activities.

Implementation:

1. Program

- a. Collection of diverse resources to compose a substantial specialized collection of historical, basic, and current materials.
- b. Reference services to include information search, current awareness service,

Information Resources (Library Services)

interlibrary loan, and development of special files of archival, ephemeral, and special-purpose materials.

- c. Creation of a reading center for women's studies and women's rights, to be developed within an existing facility.
- d. Union catalog of relevant holdings on all University of Wisconsin campuses.

2. Resources to Support Program

- a. Personnel: a professional librarian to serve as bibliographer and reference librarian; skilled cataloging assistance.
- b. Materials budget for initial major purchase and journal subscriptions, and maintenance of a gradually growing collection as academic program and demand require.
- c. Capital expenditures as needed for catalog case, files, equipment, furniture, etc.

(60-2.24 e,g; 60-2.26 c,d,e)

PHYSICAL EDUCATION AND RECREATION FACILITIES

I. Problem: Administration of recreational facilities. Positions for the administration of university recreation facilities have been primarily held by men; for example, facilities such as the Red Gym, Physical Education Unit II, Nielsen Tennis Stadium, and the practice building now being developed into the Camp Randall Memorial Sports Center. A woman, on a part-time basis, has administered the recreation facilities of Lathrop Hall and the one gym in the Journalism Building at 425 Henry Mall. With the exception of the women's representative on the Nielsen Tennis Stadium subcommittee, there is no female input on the administrative level of the other buildings. Guidelines established for the use of the Nielsen Building have proved helpful for ensuring opportunities for women but no such guidelines presently are in operation for the other places.

Goals:

1. Candidates of both sexes must be appointed to policy-making committees and positions in administration of campus physical recreation facilities.
2. Joint appointments from men's and women's physical education departments shall be made for the administration of recreation facilities.

Implementation:

1. At the time the Nielsen appointment was made there was an implicit assumption that a woman would be considered for some future administrative appointment either to the Nielsen building or to some other campus recreation facility. Such appointments must be made in sufficient number that the number of female administrators will reflect the proportion of women seeking use of athletic facilities.
2. With the development of the Camp Randall Memorial Sports Center, women shall be appointed to the administrative posts.

(60-2.20)

Physical Education and Recreation Facilities

II. Problem: Staffing recreation programs. Because men and women differ in sports preferences, separate programs should be maintained in body contact sports and in those activities where physical differences might cause injury to either sex. Women's activities should be managed and coached by women wherever possible.

At present, the staffing of women's recreation is wholly inadequate to meet the needs of increasing numbers of women who wish to be active. Open recreation must be supervised by knowledgeable individuals, and sports teams and performers must be managed and coached by highly specialized teachers. At present, about seven women have assumed the leadership of the women's sports program, primarily on an overload basis. This compares to approximately five times as many men on this campus, many of whom spend full time in coaching.

Goals:

1. Participation in all sports and recreation activities should be open to both men and women. In sports and recreation activities where injury is a factor, separate programs shall be available by sex. The administration of all coed activity programs shall have equal administrative input from both women's and men's departments.
2. Qualified women, under the jurisdiction of the women's physical education department, shall be employed as coaches for women's extramural teams. (60-2.20)

III. Problem: Use of recreational facilities. Until recently, the Red Gym, Unit II, and the Camp Randall Memorial Practice Building have had limited recreational use by women. A recent policy change has helped to open these facilities to women, but basic needs for locker use and dressing space have not been met.

There are insufficient facilities to serve the activity interests of all women connected with the University. Most notable are facilities for swimming, individual exercise and dance. Women are consistently turned away from recreational swims in Lathrop Hall because capacity has been reached. Similarly little space

Physical Education and Recreation Facilities

is available to the women who wish to exercise or choreograph on their own.

Goals:

1. All recreation facilities administered by the University should be available for use by both men and women.
2. When new buildings are constructed for athletics and physical education, adequate facilities must be provided for women.
3. University recreation facilities must include appropriate and adequate restrooms, locker space, and dressing rooms for both sexes.

Implementation:

1. The existing \$3 per student per semester intramural recreation facilities fee is an important step in providing additional facilities for use by women and men.
2. Guidelines for use will be set up by subcommittees of the Intramural Recreation Board, which shall comprise equal numbers of women and men. This will ensure recreation opportunities for all members of the University community in the proposed Camp Randall Memorial Sports Center and the golf course and recreation area.

(60-2.22 b,7ii,iii)

IV. Problem: Instructional physical education programs. The demand by women for instruction in sports, dance, and aquatics has sharply increased in the last few years. The budget for staffing this program has not been able to keep up with the need. The courses in the general college program for women have for some years been open to both men and women. Because courses such as tennis, bowling, skiing, modern dance, ballroom dance, and ballet are offered only by the women's department, approximately 300 men have enrolled in the women's courses. Despite a policy of permitting no larger than 50% male enrollment, women were closed out during registration and they signed waiting lists for possible admittance. Only two courses in the men's elective program are open to women and 14 girls have enrolled.

Physical Education and Recreation Facilities

There is, thus, an unequal financial burden on the departments for financing instruction for the opposite sex.

Because undergraduate needs have received priority, no opportunities exist for providing faculty women with instruction. This campus group has clearly expressed a desire for directed activity that implies leadership by a qualified physical educator.

Goals:

1. In general, courses in sports, dance, and aquatics offered by both men's and women's physical education departments shall be open to students of both sexes.
 2. Appropriate locker and shower facilities shall be provided for students of both sexes who participate in activity courses.
 3. Instructional physical education programs shall encompass all segments of the university community.
 4. Men's and women's physical education departments shall coordinate their instructional programs so that activity needs of women and men are being met.
 5. Adequate financial support shall be provided both women's and men's physical education departments to fulfill the needs of physical education programs so they can be open to (a) all undergraduate students, (b) all graduate students, (c) all faculty, and (d) all classified personnel. (60-2.22 b, 7ii, iii)
- V. Problem: Extramural sports for women. The need for expanded extramural sports for women is crucial. Girls are now coming to the University who have had excellent competitive experiences in high school but little opportunity exists in this university for them to continue these interests. A program of extramural sports for women is barely under way and is, unfortunately, tied in with the club sports program, which has a different purpose. The extramural sports program should exist to provide opportunities for undergraduate women to compete against similar teams

Physical Education and Recreation Facilities

in other universities. A nationally recognized organization, Association for Inter-collegiate Athletics for Women, has been established to set policies and guidelines for operation of competitive events.

The present program on the Madison campus encompasses seven sports, each of which is funded to the extent of approximately \$100, which must cover officials, travel, entry fees, facilities, and equipment. In reality, this amount would fund about two home games. To help make up the deficit, undergraduate women have in the past sold candy, cookies, and Christmas trees. This effort can no longer fill the need.

The coaching time has been funded by the Department of Physical Education for Women in lieu of teaching one activity course. However, in order to produce a quality program, this coaching demands more time than would be necessary for teaching one course. Women instructors have been willing to give this extra time but it has created a serious overload in their schedules.

Women's teams from the Madison campus have become increasingly aware of inequities in their funding as compared to the other schools in the Big Ten and other universities in the state of Wisconsin itself. To be competitive, to have a quality program, and to meet the current needs of women on this campus, an extramural sports program for women must be funded adequately.

Goals:

1. Opportunities for women to participate in extramural sports must be increased in accord with expressed needs of women students.
2. Women students participating on extramural teams shall be funded to the extent of travel expense, entry fees, uniforms, and meals and overnight accommodations while playing games away from the campus.
3. Qualified women physical educators shall be assigned to manage and coach each extramural team. To meet current demand, this should amount to at least one to

Physical Education and Recreation Facilities

one and one-half full-time positions. An annual review by the Women's Physical Education Department should be made to ensure that the number of positions continues to reflect the needs of women adequately.

4. Nationally rated women officials, in accordance with conference rulings, must be hired for home meets and games.
5. No athletic scholarships shall be awarded to women students participating on extramural teams.
6. The conduct of the program shall not be dependent upon gate receipts.

Implementation:

1. The new \$2 per student per semester fee proposed by the Intramural Recreation Board will produce revenue to fund recreation programs. Of this income, the amount allocated to Women's Extramural Sports shall be the portion assessed women students to cover team travel, some supervision, adequate amounts for start-up, and some equipment and uniforms.
2. Funds for adequate coaching time are to be allocated.

(60-2.23 a.5; 60-2.23 b.9; 60-2.22 b.7ii,iii)

VI. Additional Recommendations

Tickets to athletic events shall include opportunity for purchase of one extra ticket regardless of marital status or sex.

(60-2.20 a.4)

U.S. DEPARTMENT OF LABOR
OFFICE OF FEDERAL CONTRACT COMPLIANCE
WASHINGTON, D.C. 20210

CHAPTER 60 -- Office of Federal Contract Compliance,
Equal Employment Opportunity, Department of Labor

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**Title 41—PUBLIC CONTRACTS
AND PROPERTY MANAGEMENT**

Chapter 60—Office of Federal Contract Compliance, Equal Employment Opportunity, Department of Labor

PART 60-2—AFFIRMATIVE ACTION PROGRAMS

On August 31, 1971, notice of proposed rule making was published in the *FEDERAL REGISTER* (36 F.R. 17444) with regard to amending Chapter 60 of Title 41 of the Code of Federal Regulations by adding a new Part 60-2, dealing with

affirmative action programs. Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed amendments.

Having considered all relevant material submitted, I have decided to, and do hereby amend Chapter 60 of Title 41 of the Code of Federal Regulations by adding a new Part 60-2, reading as follows:

Subpart A—General

- Sec.
60-2.1 Title, purpose and scope.
60-2.2 Agency action.

Subpart B—Required Contents of Affirmative Action Programs

- 60-2.10 Purpose of affirmative action program.
60-2.11 Required utilization analysis.
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- 60-2.30 Use of goals.
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AUTHORITY: The provisions of this Part 60-2 issued pursuant to sec. 201, Executive Order 11246 (30 F.R. 12319).

Subpart A—General

§ 60-2.1 Title, purpose and scope.

This part shall also be known as "Revised Order No. 4" and shall cover non-construction contractors. Section 60-1.40 of this Chapter, Affirmative Action Compliance Programs, requires that within 120 days from the commencement of a contract each prime contractor or subcontractor with 50 or more employees and a contract of \$50,000 or more develop a written affirmative action compliance program for each of its establishments, and such contractors are now further required to revise existing written affirmative action programs to include the changes embodied in this order within 120 days of its publication in the *FEDERAL REGISTER*. A review of agency compliance surveys indicates that many contractors do not have affirmative action programs on file at the time an establishment is visited by a compliance investigator. This part details the agency review procedure and the results of a contractor's failure to develop and maintain an affirmative action program and then set forth detailed guidelines to be used by contractors and Government agencies in developing and judging these programs as well as the good faith effort required to transform the programs from paper commitments to equal employment opportunity. Subparts B and C are concerned with affirmative action plans only.

Relief for members of an "affected class" who, by virtue of past discrimination, continue to suffer the present effects of that discrimination must either be included in the contractor's affirmative action program or be embodied in a separate written "corrective action" program. An "affected class" problem must be remedied in order for a contractor to be considered in compliance. Section 60-2.2 herein pertaining to an acceptable affirmative action program is also applicable to the failure to remedy discrimination against members of an "affected class."

§ 60-2.2 Agency action.

(a) Any contractor required by § 60-1.40 of this chapter to develop an affirmative action program at each of his establishments who has not complied fully with that section is not in compliance with Executive Order 11246, as amended (30 F.R. 12319). Until such programs are developed and found to be acceptable in accordance with the standards and guidelines set forth in §§ 60-2.10 through 60-2.32, the contractor is unable to comply with the equal employment opportunity clause.

(b) If, in determining such contractor's responsibility for an award of a contract it comes to the contracting officer's attention, through sources within his agency or through the Office of Federal Contract Compliance or other Government agencies, that the contractor has not developed an acceptable affirmative action program at each of his establishments, the contracting officer shall notify the Director and declare the contractor-bidder nonresponsible unless he can otherwise affirmatively determine that the contractor is able to comply with his equal employment obligations or, unless, upon review, it is determined by the Director that substantial issues of law or fact exist as to the contractor's responsibility to the extent that a hearing is, in his sole judgment, required prior to a determination that the contractor is nonresponsible. *Provided*, That during any pre-award conferences every effort shall be made through the processes of conciliation, mediation and persuasion to develop an acceptable affirmative action program meeting the standards and guidelines set forth in §§ 60-2.10 through 60-2.32 so that, in the performance of his contract, the contractor is able to meet his equal employment obligations in accordance with the equal opportunity clause and applicable rules, regulations, and orders: *Provided further*, That when the contractor-bidder is declared nonresponsible more than once for inability to comply with the equal employment opportunity clause a notice setting a timely hearing date shall be issued concurrently with the second nonresponsibility determination in accordance with the provisions of § 60-1.26 proposing to declare such contractor-bidder ineligible for future contracts and subcontracts.

(c) Immediately upon finding that a contractor has no affirmative action program or that his program is not acceptable to the contracting officer, the compliance agency representative or the representative of the Office of Federal Contract Compliance, whichever has made such a finding, shall notify officials of the appropriate compliance agency and the Office of Federal Contract Compliance of such fact. The compliance agency shall issue a notice to the contractor giving him 30 days to show cause why enforcement proceedings under section 209(b) of Executive Order 11246, as amended, should not be instituted.

(1) If the contractor fails to show good cause for his failure or fails to remedy that failure by developing and implementing an acceptable affirmative action program within 30 days, the compliance agency, upon the approval of the

Director, shall immediately issue a notice of proposed cancellation or termination of existing contracts or subcontracts and debarment from future contracts and subcontracts pursuant to § 60-1.26(b), giving the contractor 10 days to request a hearing. If a request for hearing has not been received within 10 days from such notice, such contractor will be declared ineligible for future contracts and current contracts will be terminated for default.

(2) During the "show cause" period of 30 days every effort shall be made by the compliance agency through conciliation, mediation, and persuasion to resolve the deficiencies which led to the determination of nonresponsibility. If satisfactory adjustments designed to bring the contractor into compliance are not concluded, the compliance agency, with the prior approval of the Director, shall promptly commence formal proceedings leading to the cancellation or termination of existing contracts or subcontracts and debarment from future contracts and subcontracts under § 60-1.26(b) of this chapter.

(d) During the "show cause" period and formal proceedings, each contracting agency must continue to determine the contractor's responsibility in considering whether or not to award a new or additional contract.

Subpart B—Required Contents of Affirmative Action Programs

§ 60-2.10 Purpose of affirmative action program.

An affirmative action program is a set of specific and result-oriented procedures to which a contractor commits himself to apply every good faith effort. The objective of those procedures plus such efforts is equal employment opportunity. Procedures without effort to make them work are meaningless; and effort, undirected by specific and meaningful procedures, is inadequate. An acceptable affirmative action program must include an analysis of areas within which the contractor is deficient in the utilization of minority groups and women, and further, goals and timetables to which the contractor's good faith efforts must be directed to correct the deficiencies and, thus to increase materially the utilization of minorities and women, at all levels and in all segments of his work force where deficiencies exist.

§ 60-2.11 Required utilization analysis.

Based upon the Government's experience with compliance reviews under the Executive order programs and the contractor reporting system, minority groups are most likely to be underutilized in departments and jobs within departments that fall within the following Employer's Information Report (EEO-1) designations: officials and managers, professionals, technicians, sales workers, office and clerical and craftsmen (skilled). As categorized by the EEO-1 designations, women are likely to be underutilized in departments and jobs within departments as follows: officials

and managers, professionals, technicians, sales workers (except over-the-counter sales in certain retail establishments), craftsmen (skilled and semi-skilled). Therefore, the contractor shall direct special attention to such jobs in his analysis and goal setting for minorities and women. Affirmative action programs must contain the following information:

(a) An analysis of all major job classifications at the facility, with explanation if minorities or women are currently being underutilized in any one or more job classifications (job "classification" herein meaning one or a group of jobs having similar content, wage rates and opportunities). "Underutilization" is defined as having fewer minorities or women in a particular job classification than would reasonably be expected by their availability. In making the work force analysis, the contractor shall conduct such analysis separately for minorities and women.

(1) In determining whether minorities are being underutilized in any job classification the contractor will consider at least all of the following factors:

(i) The minority population of the labor area surrounding the facility;

(ii) The size of the minority unemployment force in the labor area surrounding the facility;

(iii) The percentage of the minority work force as compared with the total work force in the immediate labor area;

(iv) The general availability of minorities having requisite skills in the immediate labor area;

(v) The availability of minorities having requisite skills in an area in which the contractor can reasonably recruit;

(vi) The availability of promotable and transferable minorities within the contractor's organization;

(vii) The existence of training institutions capable of training persons in the requisite skills; and

(viii) The degree of training which the contractor is reasonably able to undertake as a means of making all job classes available to minorities.

(2) In determining whether women are being underutilized in any job classification, the contractor will consider at least all of the following factors:

(i) The size of the female unemployment force in the labor area surrounding the facility;

(ii) The percentage of the female workforce as compared with the total workforce in the immediate labor area;

(iii) The general availability of women having requisite skills in the immediate labor area;

(iv) The availability of women having requisite skills in an area in which the contractor can reasonably recruit;

(v) The availability of women seeking employment in the labor or recruitment area of the contractor;

(vi) The availability of promotable and transferable female employees within the contractor's organization;

(vii) The existence of training institutions capable of training persons in the requisite skills; and

(viii) The degree of training which the contractor is reasonably able to undertake as a means of making all job classes available to women.

§ 60-2.12 Establishment of goals and timetables.

(a) The goals and timetables developed by the contractor should be attainable in terms of the contractor's analysis of his deficiencies and his entire affirmative action program. Thus, in establishing the size of his goals and the length of his timetables, the contractor should consider the results which could reasonably be expected from his putting forth every good faith effort to make his overall affirmative action program work. In determining levels of goals, the contractor should consider at least the factors listed in § 60-2.11.

(b) Involve personnel relations staff, department and division heads, and local and unit managers in the goal setting process.

(c) Goals should be significant, measurable and attainable.

(d) Goals should be specific for planned results, with timetables for completion.

(e) Goals may not be rigid and inflexible quotas which must be met, but must be targets reasonably attainable by means of applying every good faith effort to make all aspects of the entire affirmative action program work.

(f) In establishing timetables to meet goals and commitments, the contractor will consider the anticipated expansion, contraction and turnover of and in the work force.

(g) Goals, timetables and affirmative action commitments must be designed to correct any identifiable deficiencies.

(h) Where deficiencies exist and where numbers or percentages are relevant in developing corrective action, the contractor shall establish and set forth specific goals and timetables separately for minorities and women.

(i) Such goals and timetables, with supporting data and the analysis thereof shall be a part of the contractor's written affirmative action program and shall be maintained at each establishment of the contractor.

(j) Where the contractor has not established a goal, his written affirmative action program must specifically analyze each of the factors listed in § 60-2.11 and must detail his reason for a lack of a goal.

(k) In the event it comes to the attention of the compliance agency or the Office of Federal Contract Compliance that there is a substantial disparity in the utilization of a particular minority group or men or women of a particular minority group, the compliance agency or OFCC may require separate goals and timetables for such minority group and may further require, where appropriate, such goals and timetables by sex for such group for such job classifications and organizational units specified by the compliance agency or OFCC.

(li) Support data for the required analysis and program shall be compiled and maintained as part of the contractor's affirmative action program. This data will include but not be limited to progression line charts, seniority rosters, applicant flow data, and applicant rejection ratios indicating minority and sex status.

(mi) Copies of affirmative action programs and/or copies of support data shall be made available to the compliance agency or the Office of Federal Contract Compliance, at the request of either, for such purposes as may be appropriate to the fulfillment of their responsibilities under Executive Order 11246, as amended.

§ 60-2.12 Additional required ingredients of affirmative action programs.

Effective affirmative action programs shall contain, but not necessarily be limited to, the following ingredients:

(a) Development or reaffirmation of the contractor's equal employment opportunity policy in all personnel actions.

(b) Formal internal and external dissemination of the contractor's policy.

(c) Establishment of responsibilities for implementation of the contractor's affirmative action program.

(d) Identification of problem areas (deficiencies) by organizational units and job classification.

(e) Establishment of goals and objectives by organizational units and job classification, including timetables for completion.

(f) Development and execution of action oriented programs designed to eliminate problems and further designed to attain established goals and objectives.

(g) Design and implementation of internal audit and reporting systems to measure effectiveness of the total program.

(h) Compliance or personnel policies and practices with the Sex Discrimination Guidelines (41 CFR Part 60-20).

(i) Active support of local and national community action programs and community service programs, designed to improve the employment opportunities of minorities and women.

(j) Consideration of minorities and women not currently in the workforce having requisite skills who can be recruited through affirmative action measures.

§ 60-2.14 Compliance status.

No contractor's compliance status shall be judged alone by whether or not he reaches his goals and meets his timetables. Rather, each contractor's compliance posture shall be reviewed and determined by reviewing the content of his program, the extent of his adherence to this program, and his good faith efforts to make his program work toward the realization of the program's goals within the timetables set for completion. There follows an outline of examples of procedures that contractors and Federal agencies should use as a guideline for establishing, implementing, and judging an acceptable affirmative action program.

Support C—Methods of Implementing the Requirements of Support B

§ 60-2.20 Development or reaffirmation of the equal employment opportunity policy.

(a) The contractor's policy statement should indicate the chief executive officers' attitude on the subject matter, assign overall responsibility and provide for a reporting and monitoring procedure. Specific items to be mentioned should include, but not limited to:

(1) Recruit, hire, train, and promote persons in all job classifications, without regard to race, color, religion, sex, or national origin, except where sex is a bona fide occupational qualification. (The term "bona fide occupational qualification" has been construed very narrowly under the Civil Rights Act of 1964. Under Executive Order 11246 as amended and this part, this term will be construed in the same manner.)

(2) Base decisions on employment so as to further the principle of equal employment opportunity.

(3) Insure that promotion decisions are in accord with principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.

(4) Insure that all personnel actions such as compensation, benefits, transfers, layoffs, return from layoff, company sponsored training, education, tuition assistance, social and recreation programs, will be administered without regard to race, color, religion, sex, or national origin.

§ 60-2.21 Dissemination of the policy.

(a) The contractor should disseminate his policy internally as follows:

(1) Include it in contractor's policy manual.

(2) Publicize it in company newspaper, magazine, annual report and other media.

(3) Conduct special meetings with executive, management, and supervisory personnel to explain intent of policy and individual responsibility for effective implementation, making clear the chief executive officer's attitude.

(4) Schedule special meetings with all other employees to discuss policy and explain individual employee responsibilities.

(5) Discuss the policy thoroughly in both employee orientation and management training programs.

(6) Meet with union officials to inform them of policy, and request their cooperation.

(7) Include nondiscrimination clauses in all union agreements, and review all contractual provisions to ensure they are nondiscriminatory.

(8) Publish articles covering EEO programs, progress reports, promotions, etc., of minority and female employees, in company publications.

(9) Post the policy on company bulletin boards.

(10) When employees are featured in product or consumer advertising, employee handbooks or similar publications both minority and nonminority, men and women should be pictured.

(11) Communicate to employees the existence of the contractor's affirmative action program and make available such elements of his program as will enable such employees to know of and avail themselves of its benefits.

(b) The contractor should disseminate his policy externally as follows:

(1) Inform all recruiting sources verbally and in writing of company policy, stipulating that these sources actively recruit and refer minorities and women for all positions listed.

(2) Incorporate the Equal Opportunity clause in all purchase orders, leases, contracts, etc., covered by Executive Order 11246, as amended, and its implementing regulations.

(3) Notify minority and women's organizations, community agencies, community leaders, secondary schools and colleges, of company policy, preferably in writing.

(4) Communicate to prospective employees the existence of the contractor's affirmative action program and make available such elements of his program as will enable such prospective employees to know of and avail themselves of its benefits.

(5) When employees are pictured in consumer or help wanted advertising, both minorities and nonminority men and women should be shown.

(6) Send written notification of company policy to all subcontractors, vendors and suppliers requesting appropriate action on their part.

§ 60-2.22 Responsibility for implementation.

(a) An executive of the contractor should be appointed as director or manager of company Equal Opportunity Programs. Depending upon the size and geographical alignment of the company, this may be his or her sole responsibility. He or she should be given the necessary top management support and staffing to execute the assignment. His or her identity should appear on all internal and external communications on the company's Equal Opportunity Programs. His or her responsibilities should include, but not necessarily be limited to:

(1) Developing policy statements, affirmative action programs, internal and external communication techniques.

(2) Assisting in the identification of problem areas.

(3) Assisting line management in arriving at solutions to problems.

(4) Designing and implementing audit and reporting systems that will:

(i) Measure effectiveness of the contractor's programs.

(ii) Indicate need for remedial action.

(iii) Determine the degree to which the contractor's goals and objectives have been attained.

(5) Serve as liaison between the contractor and enforcement agencies.

(6) Serve as liaison between the contractor and minority organizations, women's organizations and community action groups concerned with employment opportunities of minorities and women.

(7) Keep management informed of latest developments in the entire equal opportunity area.

(b) Line responsibilities should include, but not be limited to, the following:

(1) Assistance in the identification of problem areas and establishment of local and unit goals and objectives.

(2) Active involvement with local minority organizations, women's organizations, community action groups and community service programs.

(3) Periodic audit of training programs, hiring and promotion patterns to remove impediments to the attainment of goals and objectives.

(4) Regular discussions with local managers, supervisors and employees to be certain the contractor's policies are being followed.

(5) Review of the qualifications of all employees to insure that minorities and women are given full opportunities for transfers and promotions.

(6) Career counseling for all employees.

(7) Periodic audit to insure that each location is in compliance in area such as:

(i) Posters are properly displayed.

(ii) All facilities, including company housing, which the contractor maintains for the use and benefit of his employees, are in fact desegregated, both in policy and use. If the contractor provides facilities such as dormitories, locker rooms and rest rooms, they must be comparable for both sexes.

(iii) Minority and female employees are afforded a full opportunity and are encouraged to participate in all company sponsored educational, training, recreational and social activities.

(8) Supervisors should be made to understand that their work performance is being evaluated on the basis of their equal employment opportunity efforts and results, as well as other criteria.

(9) It shall be a responsibility of supervisors to take actions to prevent harassment of employees placed through affirmative action efforts.

§ 60-2.23 Identification of problem areas by organizational units and job classifications.

(a) An in-depth analysis of the following should be made, paying particular attention to trainees and those categories listed in § 60-2.11(d).

(1) Composition of the work force by minority group status and sex.

(2) Composition of applicant flow by minority group status and sex.

(3) The total selection process including position descriptions, position titles, worker specifications, application forms, interview procedures, test administration, test validity, referral procedures, final selection process, and similar factors.

(4) Transfer and promotion practices.

(5) Facilities, company sponsored recreation and social events, and special programs such as educational assistance.

(6) Seniority practices and seniority provisions of union contracts.

(7) Apprenticeship programs.

(8) All company training programs, formal and informal.

(9) Work force attitude.

(10) Technical phases of compliance, such as poster and notification to labor unions, retention of applications, notification to subcontractors, etc.

(b) If any of the following items are found in the analysis, special corrective action should be appropriate.

(1) An "underutilization" of minorities or women in specific work classifications.

(2) Lateral and/or vertical movement of minority or female employees occurring at a lesser rate (compared to work force mix) than that of nonminority or male employees.

(3) The selection process eliminates a significantly higher percentage of minorities or women than nonminorities or men.

(4) Application and related preemployment forms not in compliance with Federal legislation.

(5) Position descriptions inaccurate in relation to actual functions and duties.

(6) Tests and other selection techniques not validated as required by the OFCC Order on Employee Testing and other Selection Procedures.

(7) Test forms not validated by location, work performance and inclusion of minorities and women in sample.

(8) Referral ratio of minorities or women to the hiring supervisor or manager indicates a significantly higher percentage are being rejected as compared to nonminority and male applicants.

(9) Minorities or women are excluded from or are not participating in company sponsored activities or programs.

(10) De facto segregation still exists at some facilities.

(11) Seniority provisions contribute to overt or inadvertent discrimination, i.e., a disparity by minority group status or sex exists between length of service and types of job held.

(12) Nonsupport of company policy by managers, supervisors or employees.

(13) Minorities or women underutilized or significantly underrepresented in training or career improvement programs.

(14) No formal techniques established for evaluating effectiveness of EEO programs.

(15) Lack of access to suitable housing inhibits recruitment efforts and employment of qualified minorities.

(16) Lack of suitable transportation (public or private) to the work place inhibits minority employment.

(17) Labor unions and subcontractors not notified of their responsibilities.

(18) Purchase orders do not contain EEO clause.

(19) Posters not on display.

§ 60-2.24 Development and execution of programs.

(a) The contractor should conduct detailed analyses of position descriptions to insure that they accurately reflect position functions, and are consistent for the same position from one location to another.

(b) The contractor should validate worker specifications by division, department, location or other organizational unit and by job category using job performance criteria. Special attention should be given to academic, experience and skill requirements to insure that the requirements in themselves do not constitute inadvertent discrimination. Specifications should be consistent for the same job classification in all locations and should be free from bias as regards to race, color, religion, sex, or national origin, except where sex is a bona fide occupational qualification. Where requirements screen out a disproportionate number of minorities or women such requirements should be professionally validated to job performance.

(c) Approved position descriptions and worker specifications, when used by the contractor, should be made available to all members of management involved in the recruiting, screening, selection, and promotion process. Copies should also be distributed to all recruiting sources.

(d) The contractor should evaluate the total selection process to insure freedom from bias and, thus, aid the attainment of goals and objectives.

(1) All personnel involved in the recruiting, screening, selection, promotion, disciplinary, and related processes should be carefully selected and trained to insure elimination of bias in all personnel actions.

(2) The contractor shall observe the requirements of the OFCC Order pertaining to the validation of employee tests and other selection procedures.

(3) Selection techniques other than tests may also be improperly used so as to have the effect of discriminating against minority groups and women. Such techniques include but are not restricted to, unstructured interviews, unscored or casual application forms, arrest records, credit checks, considerations of marital status or dependency or minor children. Where there exist data suggesting that such unfair discrimination or exclusion of minorities or women exists, the contractor should analyze his unscored procedures and eliminate them if they are not objectively valid.

(e) Suggested techniques to improve recruitment and increase the flow of minority or female applicants follow:

(1) Certain organizations such as the Urban League, Job Corps, Equal Opportunity Programs, Inc., Concentrated Employment Programs, Neighborhood Youth Corps, Secondary Schools, Colleges, and City Colleges with high minority enrollment, the State Employment Service, specialized employment agencies, Aspira, IULAC, SER, the G.I. Forum, the Commonwealth of Puerto Rico are normally prepared to refer minority applicants. Organizations prepared to refer women with specific skills are: National Organization for Women, Welfare Rights Organizations, Women's Equity Action League, Talent Bank from Business and Professional Women (including 26 women's organizations), Professional Women's Caucus, Intercollegiate Association of University Women, Negro Women's sororities and service

groups such as Delta Sigma Theta, Alpha Kappa Alpha, and Zeta Phi Beta; National Council of Negro Women, American Association of University Women, YWCA, and sectarian groups such as Jewish Women's Groups, Catholic Women's Groups and Protestant Women's Groups, and women's colleges. In addition, community leaders as individuals shall be added to recruiting source.

(2) Formal briefing sessions should be held, preferably on company premises, with representatives from these recruiting sources. Plant tours, presentations by minority and female employees, clear and concise explanations of current and future job openings, position descriptions, worker specifications, explanations of the company's selection process, and recruiting literature should be an integral part of the briefings. Formal arrangements should be made for referral of applicants, followup with sources, and feedback on disposition of applicants.

(3) Minority and female employees, using procedures similar to subparagraph (2) of this paragraph, should be actively encouraged to refer applicants.

(4) A special effort should be made to include minorities and women on the Personnel Relations staff.

(5) Minority and female employees should be made available for participation in Career Days, Youth Motivation Programs, and related activities in their communities.

(6) Active participation in "Job Fairs" is desirable. Company representatives so participating should be given authority to make on-the-spot commitments.

(7) Active recruiting programs should be carried out at secondary schools, junior colleges, and colleges with predominant minority or female enrollments.

(8) Recruiting efforts at all schools should incorporate special efforts to reach minorities and women.

(9) Special employment programs should be undertaken whenever possible. Some possible programs are:

(i) Technical and nontechnical co-op programs with predominately Negro and women's colleges.

(ii) "After school" and/or work-study jobs for minority youths, male and females.

(iii) Summer jobs for underprivileged youth, male and female.

(iv) Summer work-study programs for male and female faculty members of the predominantly minority schools and colleges.

(v) Motivation, training and employment programs for the hard-core unemployed, male and female.

(10) When recruiting brochures pictorially present work situations, the minority and female members of the work force should be included, especially when such brochures are used in school and career programs.

(11) Help wanted advertising should be expanded to include the minority news media and women's interest media on a regular basis.

(f) The contractor should insure that minority and female employees are given equal opportunity for promotion. Suggestions for achieving this result include:

(1) Post or otherwise announce promotional opportunities.

(2) Make an inventory of current minority and female employees to determine academic, skill and experience level of individual employees.

(3) Initiate necessary remedial, job training and workstudy programs.

(4) Develop and implement formal employee evaluation programs.

(5) Make certain "worker specifications" have been validated on job performance related criteria. (Neither minority nor female employees should be required to possess higher qualifications than those of the lowest qualified incumbent.)

(6) When apparently qualified minority or female employees are passed over for upgrading, require supervisory personnel to submit written justification.

(7) Establish formal career counseling programs to include attitude development, education aid, job rotation, buddy system and similar programs.

(8) Review seniority practices and seniority clauses in union contracts to insure such practices or clauses are non-discriminatory and do not have a discriminatory effect.

(g) Make certain facilities and company-sponsored social and recreation activities are desegregated. Actively encourage all employees to participate.

(h) Encourage child care, housing and transportation programs appropriately designed to improve the employment opportunities for minorities and women.

§ 60-2.25 Internal audit and reporting systems.

(a) The contractor should monitor records of referrals, placements, transfers, promotions and terminations at all levels to insure nondiscriminatory policy is carried out.

(b) The contractor should require formal reports from unit managers on a schedule basis as to degree to which corporate or unit goals are attained and timetables met.

(c) The contractor should review report results with all levels of management.

(d) The contractor should advise top management of program effectiveness

and submit recommendations to improve unsatisfactory performance.

§ 60-2.26 Support of action programs.

(a) The contractor should appoint key members of management to serve on Merit Employment Councils, Community Relations Boards and similar organizations.

(b) The contractor should encourage minority and female employees to participate actively in National Alliance of Businessmen programs for youth motivation.

(c) The contractor should support Vocational Guidance Institutes, Vestibule Training Programs and similar activities.

(d) The contractor should assist secondary schools and colleges in programs designed to enable minority and female graduates of these institutions to compete in the open employment market on a more equitable basis.

(e) The contractor should publicize achievements of minority and female employees in local and minority news media.

(f) The contractor should support programs developed by such organizations as National Alliance of Businessmen, the Urban Coalition and other organizations concerned with employment opportunities for minorities or women.

Subpart D—Miscellaneous

§ 60-2.30 Use of goals.

The purpose of a contractor's establishment and use of goals is to insure that he meet his affirmative action obligation. It is not intended and should not be used to discriminate against any applicant or employee because of race, color, religion, sex, or national origin.

§ 60-2.31 Preemption.

To the extent that any State or local laws, regulations or ordinances, including those which grant special benefits to persons on account of sex, are in conflict with Executive Order 11246, as amended, or with the requirements of this part, we will regard them as preempted under the Executive order.

§ 60-2.32 Supersedure.

All orders, instructions, regulations, and memoranda of the Secretary of Labor, other officials of the Department of Labor and contracting agencies are hereby superseded to the extent that they are inconsistent herewith, including a previous "Order No. 4" from this Office dated January 30 1970. Nothing in this part is intended to amend 41 CFR 60-3 published in the FEDERAL REGISTER on October 2, 1971 or Employee Testing and Other Selection Procedures or 41 CFR 60-20 on Sex Discrimination Guidelines.

Effective date. This part shall become effective on the date of its publication in the FEDERAL REGISTER (12-4-71).

Signed at Washington, D.C., this 1st day of December 1971.

J. D. HONGSON,
Secretary of Labor.

HORACE E. MENASCO,
Acting Assistant Secretary
for Employment Standards.

JOHN L. WILKS,
Director, Office of
Federal Contract Compliance.

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Appendix II

METHODS FOR IMPLEMENTING HIRING AND PROMOTIONAL GOALS¹

The following document to be distributed by the Office for Women for completion by each department describes three forms to be used in implementing hiring and promotional goals for women. Preceding each form is a brief explanation, which details the proper uses of the form. An explanation of the rationale behind each form is available upon request of the Steering Committee of the Association of Faculty Women. (See Chapter "Hiring and Promotional Goals.")

Form 1 is intended to implement the following policy:

Establish a percentage obligation for hiring women at the whole-department level which reflects both your department's current position and the availability of women in the pool of qualified applicants. For example, if 25 per cent of the job pool in your area is female and 25 per cent of the professors on your staff are women you would establish an obligation of 25 per cent, continuing your present practice. If 25 per cent of the pool is female and none of your faculty is female, you should set your obligation much higher than 25 per cent in order to correct the imbalance.

The obligation should be set in such a manner that the percentage composition of your department will actually match the pool within five years. If this is impossible, your department should hire 100 per cent women until the goal is met.

Form 2 is intended to implement the following policy:

Once you have set a percentage hiring obligation, you should act in good faith to make your hiring actually conform to that obligation. If your obligation is 20 per cent and you intend to hire five people over the next five years, hiring four men first would raise questions about your intention actually to conform to your obligation. Generally speaking, if a certain number of women are to be hired over a certain period of time, they should not be the last people hired, and although they need not be the first, hiring them as soon as possible would be taken as evidence of good faith.

Forms 3 and 4 are intended to implement the following policy:

Once hired, men and women should be promoted with equal speed. In particular, a department should not promote a man from a rank unless its past history of promotions from that rank clearly demonstrates that women do not remain longer in that rank than men.

A corollary of this policy is that departments should make every effort, not only to hire the percentage of women specified by Form 1, but to hire women of equal quality. It is the department's responsibility to maintain quality, for it will be expected to maintain equal promotion rates in any case.

^{1/} Developed by Daniel B. Smith, under sponsorship of the Ad Hoc Committee on the Affirmative Action Program.

Appendix II

Red tape burden

Adoption of these forms would add the following red tape burden to a department:

1. Maintaining on file five Form 2's (one for each of the past five years) and four Form 3's (one for each sex and rank from which promotions are made).
2. Filling out a new Form 1 every semester or perhaps every year.
3. Filling out a new Form 2 each year.
4. Entering a new line in Form 2 for each hiring.
5. Compiling the initial entries in Form 3 once.
6. Adding a new line to a Form 3 for each promotion.
7. Filling out a new Form 4 for each proposed male promotion.

Except for the initial compiling of Form 3, which might take a secretary an entire afternoon, the burden would not be very heavy.

Year

For simplicity, the procedures run in calendar-year cycles. The procedures should probably run in academic or fiscal years, and the instructions should have added to them careful notes about how this affects the entry (e.g. "a man promoted in Jan. 1972 was promoted during academic year 1971 and the year entered in column 3 of Form 3 should be 1971").

Five-year period

Forms 2 and 3 both involve the past five-year history of the department. (Form 3 involves history that goes further back, but only considers promotions that have taken place in the past five years.)

The intent of the procedures in Forms 2 and 3 is to provide a combination of flexibility with rigor. A department that attempts to drag its heels in hiring or promoting women will be told specifically when it must hire or promote a woman. A department that hires and promotes women properly will build up a credit and will never come into conflict.

In building up this credit, some time limit should be established. We probably do not want a department to be able to exercise discrimination twenty years from now because it has hired lots of women now. The time period should be long enough to provide an averaged view of departmental policy, free from moment-to-moment chance fluctuations, but not so long that there can actually be real policy changes.

A second consideration is that the longer the period is taken to be (1) the more records the department will have to keep, and (2) the more difficulty there will be in starting up the process on the basis of present records.

Appendix II

FORM 1

Method for determining hiring obligation

Hiring goal. The hiring goal, which will be supplied to all departments periodically, is the percentage of women in the pool from which hiring is done. If a department has not been exercising discrimination, the percentage of women in the department will already reflect this goal. If a department has been discriminating, it is obligated to hire at a rate higher than its goal in order for the percentage of women in the department to reach the goal in a reasonable time. This increased, compensatory hiring rate will be called the hiring obligation.

To calculate the obligation follow steps 1 through 8.

The calculation on this sheet should be performed each semester and whenever a new hiring goal is established.

The target date is fixed; successive biennial calculations use the same target date. TARGET DATE: 1977

(All calculations are to be performed for each column unless otherwise specified.)

	Total	Women	
1. Number of people presently in department			
2. Number of people in department who will retire before target date	1T		1W
	2T		2W
3. Number of people in department expected to leave before target date ²	3T		3W
4. Item 1, minus item 2, minus item 3	4T		4W
5T. Total expected size of department (including any additions) by target date. If different from item 1, enclose explanation.	5T		
5G. Present hiring goal	5G		5W
5W. 5T multiplied by 5G, result rounded to nearest integer			
6. Item 5 minus item 4	6T		6W
7. Hiring obligation: Divide item 6W by item 6T and round to two decimal places (to nearest percent)	7		
8. If item 6W is <u>larger</u> than 6T, then the department's hiring obligation is defined to be 1.00 (100%). In this case, the department <u>must</u> hire <u>women only</u> , but still will not reach the hiring goal by the target date. In such a case, the department must continue to hire at 100% until goal is reached or, it is strongly suggested that the department attempt to expand, increasing item 5T and hence 6T.			

2/ Department should use its own best knowledge and judgment in filling out item 3. If people have definite known plans for leaving, this should be taken into account. If the department has a known attrition rate, this should be used. It is permissible to enter "zero" in both columns without explanation.

Appendix II

FORM 2

Use of signed quantities

Calculations for this form should be performed on an adding machine that permits negative (credit) balances. Most modern adding machines do. Try subtracting 4 from 2 on your machine. The result should be 2, with the negative balance indicated by a symbol such as a - sign, a small "c" or "cr" symbol (for "credit"), or possibly by printing in red rather than black.

Items 1 through 6, every item in column 13, and item 14, are signed numbers and should be written with either a + or - sign in front of the number. Whenever a "signed result" is called for, the result should be written with a - sign (e.g., -12.05) if the adding machine shows a negative or credit balance, and a + sign (e.g., +6.05) if it does not.

Whenever the instructions call for "summing" or "totalling" signed numbers, the numbers should be keyed in and then added if they were written with a + sign, and subtracted if they were written with a - sign.

For example, the sum of -0.05, +0.02, and -0.05 is -0.08.

Five-year file

A copy of Form 2 must be kept on file for five years.

Initial entries (section A)

At the beginning of each year, begin a new hiring balance sheet.

First, the old balance sheet should be closed by subtracting the last entry in column 10 from the last entry in column 12, and entering the signed result as item 14, the balance for the old year.

Second, the yearly balances for the last five years (item 14 on the last five yearly forms) should be brought forward and entered as items 1-5 on the form for the new year.

On the new form, items 1 through 5 are totalled and the signed result entered as item 6, "initial five-year balance."

Hiring entries (section B)

Whenever a new department member is hired, a new line of entries should be made in section B.

Column 7--date: the date on which the new member was hired.

Column 8--name: the name of the new member.

Column 9--sex: the sex of the new member, F for female, M for male.

Column 10--total female hiring for year: This line is a running total of the number of women hired during the current year. If the first member

Appendix II

FORM 2

hired is a man, the first entry in this column will be 0.00; if a woman, 1.00. When a new member is hired, the entry from the preceding line should be carried forward without change if the new member is a man, or increased by 1.00 if the new member is a woman. At any time, the last entry in column 10 should correspond to the total number of "F" entries in column 9. The entries should be made in the form of a number with two decimal places, although as this column counts whole people the decimal places will always be zero. Thus, if five women have been hired the entry would be 5.00.

Column 11--current obligation. This is the department's hiring obligation at the date when the member was hired. It is carried forward from the latest Form 1. It should be written in the form of a decimal fraction; that is, if the department's obligation is 30%, the entry should be made as 0.30.

Column 12--total obligation for year. This is a running total of the items in column 11. For the first line entered, column 11 is copied into column 12. For succeeding lines, column 11 of the current line is added to column 12 in the preceding line and the sum is written in column 12 of the current line.

Column 13--current five-year balance. Subtract column 10 from column 12. (If column 10 was bigger, a negative balance will result). Then sum the result with item 6, and enter the signed result in column 13.

On an adding machine, this can be done by clearing the machine (by requesting a total); keying in column 12, hitting "add," then keying in column 10, hitting "subtract," then keying in column 6, and hitting "add" or "subtract" depending on the sign of item 6.

Hiring rule

If the latest entry in column 13 is more than +0.50, the department may not hire another man; the next person hired must be a woman.

If the latest entry in column 13 is negative, or is a positive quantity of +0.50 or less, the next person may be hired without regard to sex.

Appendix II

FORM 2

Example of a hiring balance sheet for a particular year (in this case 1977)

Section A--Enter these items when the sheet is begun.

1. 1972 balance (item 14, Form 2-1972)
2. 1973 balance (item 14, Form 2-1973)
3. 1974 balance (item 14, Form 2-1974)
4. 1975 balance (item 14, Form 2-1975)
5. 1976 balance (item 14, Form 2-1976)
6. Initial five year balance (signed sum of items 1 through 5)

Section B--1977 Hiring Record

A new line should be entered in this section whenever a new department member is hired.

7 Date	8 Name	9 Sex	10 Total female hiring for 1977	11 Current obliga- tion	12 Total obli- gation for 1977	13 Current five- year balance

Section C--enter this item when balance is to be closed and next year's balance sheet opened

14. 1977 balance (last entry of column 12 minus last entry of column 10)

Appendix II

FORM 3

Initial entries

[Assume this is the beginning of 1972; last five years = 1967 - 1971]

This year (1972) is the first year in which Form 3 is being used. A special procedure is required for making the initial entries. After these entries have been made, yearly updates can be made by a much simpler procedure.

Each department must fill out separate Form 3's for each sex and for each rank from which promotions are normally made. For most departments, this will mean a total of four Form 3's: for men and women at the assistant and associate ranks.

The department should have on hand promotion histories for every present member of the department. If possible, promotion histories for every person who has been a member of the department within the last five years, even if he or she has since left, should be included in the compilation.

If a person was at one of the recorded ranks within the last five years, an entry should be made on the appropriate form as follows:

Column 1--enter the person's name.

Column 2--the year in which the person entered this rank, either by hiring at this rank or by promotion from a lower rank.

Column 3--if the person is still at this rank, leave this column blank.
if the person was promoted out of this rank, enter the year of the promotion, with an asterisk in front of it (e.g., *1970).
if the person left the department while at this rank, enter the year in which he or she left, without the asterisk.

Column 4--leave blank initially

Column 5--if there is an entry in column 3, subtract column 2 from column 3 and enter the result in column 5.
if there is no entry in column 3, subtract column 2 from 1972 and enter the result lightly, in pencil, in column 5.

Examples:

Professor A has been a full professor since 1961. No entry will be made for professor A, since he or she has not been in any of the recorded ranks in the last five years.

Professor B was hired as an assistant professor in 1961, was promoted to associate in 1967, and to full professor in 1971. He or she will have an entry in the "assistant" form, showing 1961 in column 2 and *1967 in column 3. He or she will also have an entry on the "associate" form with 1967 in column 3 and *1971 in column 3.

Professor C was promoted to associate in 1965 and is still an associate. He

Appendix II

FORM 3

or she will have an entry on the "associate" form with 1965 in column 2 and no entry in column 3.

Professor D was hired as an assistant in 1962 and left the department without promotion in 1968. He or she will have an entry on the "assistant" form with 1962 in column 2 and 1968 in column 3, assuming that the department still has his or her record on file.

When these entries are complete, add up the numbers in column 5, including the lightly pencilled ones, and enter the sum in column 7 opposite 1972. Erase the lightly pencilled entries in column 5. Then count the number of asterisks in column 3 and enter the result in column 8 opposite 1972. Do this for all Form 3's.

Additional entries

Whenever a member of the department is promoted, or leaves the department, new entries should be made on a Form 3 as follows:

When a member is promoted--On the Form 3 corresponding to the person's old rank, find the person's name. Opposite the person's name in column 3, enter the present year with an asterisk in front of it. Subtract column 2 from column 3 and enter the result in column 5.

If the person's new rank is one from which further promotion is possible, take the Form 3 corresponding to the new rank and begin a new line by entering the person's name in column 1, and the present year in column 2.

When a member leaves--On the Form 3 corresponding to his rank, find his name. Opposite his name, in column 3, enter the present year without an asterisk. Subtract column 2 from column 3 and enter the result in column 5.

Yearly updates

At the beginning of each year:

Subtract six from the current year to obtain the cutoff date. Example: if it is the beginning of 1972, 1966 is the cutoff date.

In column 7, find the five-year total man-years for the old year. Enter it in an adding machine. Now, go down column 3 entry by entry. Every time you find the cutoff date (a) make an "X" in column 4, and (b) subtract the entry in column 5 on the adding machine.

Now, go down column 3 again, and this time count all the blank entries, down to the last line for which a name has been entered. Add this count on the adding machine.

The result is the updated five-year total man-years. Enter it in column 7 opposite the current year.

Clear the adding machine, and enter the five-year total promotions for last year, from column 8.

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FORM 3

Go down column 3, count the number of times the cutoff year appears with an asterisk, and subtract this count. Then count the number of times last year appears with an asterisk, and add this count.

The result is the updated five-year total promotions. Enter it in column 8 opposite the current year.

Purging Form 3

If Form 3 becomes full, a second copy of the form can be appended, etc. If as a result of new entries over a period of years the whole set of forms becomes unwieldy, all lines with an "X" in column 4 may be discarded and the remaining lines copied onto a fresh form.

Appendix II

FORM 3: Rate of Promotion record sheet

[illegible]

Year	Five-year total, person-years in rank	Five-year total, promotions from rank
6	7	8
1972		
1973		
1974		
1975		
1976		
1977		
1978		
1979		
1980		
1981		
1982		
1983		
1984		
1985		
1986		
1987		
1988		
1989		
1990		

Appendix II

FORM 4

Worksheet for Determining Permissible Promotions

This calculation should be performed whenever promotion of a man is being considered.

Use the Form 3's corresponding to the rank from which the man is to be promoted to transfer the information indicated below.

	WOMEN	MEN
Last entry in column 7 (years at rank)	A	A
Last entry in column 8 (promotions)	B	B
New promotions made this year from this rank. (Can be ob- tained by counting asterisked occurrence of this year in column 3)	C	C
Sum of B and C	D	D
Cross-products	E	F

Compute the women's cross-product E by multiplying entry D in the women's column by entry A in the men's column.

Compute the men's cross-product F by multiplying entry D in the men's column by entry A in the women's column.

The relative size of E and F reflect the relative rates at which women and men are promoted..

If F is greater than E, either the promotion is not permitted or it is permitted only with adequate written evidence that the women are not qualified for promotion at that time.

Appendix III

DATA COLLECTION CONCERNING UNIVERSITY PERSONNEL

Summarized below are the variables to be considered in data collection. These variables and coding categories are defined in detail in the complete copy of the Association of Faculty Women's affirmative action proposal (April 10, 1972). It is also suggested in this document that individual salaries, numbers of years of experience, numbers of publications, and other specific data be listed exactly (rather than in terms of broad categories) so that important comparisons can be made.

A computerized personnel file is to be maintained for every employee so that inequities against individuals as well as "patterns of discrimination" can be readily discerned and eradicated.

social security number
institution
job title (type of work)
sex
age
salary (9 mos., 12 mos., 1/2 time, etc.)
appointment base
years of service at University
total years of pertinent work experience
number of publications
exhibits and performances
title (instructional, e.g., professor)
title (noninstructional, e.g., specialist)
tenure status
academic preparation
total years of college teaching
highest degree
administrative duties (% time)
classroom teaching (% time)
released time for research (% time)
supervision of students (graduate and undergraduate) or staff (% time)
released time for other duties (% time)
number of credits taught/year
summer session taught
summer session salary
number of University committee memberships
number of elected or appointed offices
number of student advisees
number and location of Extension appointments
if classified: title, position, number of promotions, educational level

Appendix IV

ABSTRACT: "ENROLLMENT AND EMPLOYMENT PATTERNS OF UNIVERSITY OF WISCONSIN GRADUATE WOMEN" ¹

The study is a comparative analysis of enrollment and employment data for departments in the College of Letters and Science and College of Agricultural and Life Sciences on the Madison campus. The data cover the first semester of the 1971-1972 academic year. To determine patterns and then propose corrective measures, the study isolates the percentage of students and employees in each department who are women, and the per cent of women employed as compared to the per cent of all students employed. The employment data are further broken down to study the situation in each category of employment. Women are most underrepresented among research assistants, particularly in Letters and Science. The study also shows that in some departments the large gap between the per cent of women who are enrolled and per cent of women who are employed gives the males a considerable advantage in employment. Finally, some departments that are not traditionally considered male fields (there are a considerable number of female undergraduate majors) have a very low level of female employment at the graduate level. And, for a majority of departments, the proportion of female students drops considerably between the master's and doctoral level.²

^{1/} Prepared by Jane Van Dyk and Carolyn Dyer.

^{2/} The complete study is available from the Assistant to the Chancellor's Office, Bascom Hall, University of Wisconsin, Madison.

Appendix V

STATEMENT ON CLASSIFIED PERSONNEL

Since the vast majority of all women employed by the University of Wisconsin belong to the category of "Classified Personnel," it is requisite that a strong and equitable Affirmative Action Program be established at the University of Wisconsin for the women in this category. The members of the Steering Committee of the Association of Faculty Women, therefore, wish to express their support of such a program and their deep concern that the women listed under the classified personnel category be afforded the same equal employment opportunities and equitable treatment as women in other categories.

This document, consequently, includes proposals concerning classified women (in Chapter 2 "Office for Women" and in Chapter 4 "Employment").

Nonetheless, since special and expert knowledge of this field is required for the formulation of an Affirmative Action Program for classified women, the Steering Committee of the Association of Faculty Women feels that this program must come from other sources.